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3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169-5996  
Facsimile (702) 949-8321  
Telephone (702) 949-8320

Rob Charles NV State Bar No. 006593  
Email: rcharles@lrlaw.com  
John Hinderaker AZ State Bar No. 018024  
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>  
Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**NOTICE OF HEARING REGARDING  
NINTH OMNIBUS OBJECTION OF  
USACM LIQUIDATING TRUST TO  
DUPLICATE PROOFS OF CLAIM;  
AND CERTIFICATE OF SERVICE**

Date of Hearing: November 13, 2009  
Time of Hearing: 9:30 a.m.

**THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT  
YOU FILED. THE USACM TRUST SEEKS TO DISALLOW THAT CLAIM  
BECAUSE IT IS A DUPLICATE OF ANOTHER CLAIM THAT YOU FILED.**

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1 **THIS OBJECTION SEEKS TO DISALLOW THE INITIAL PROOF OF CLAIM**  
2 **THAT YOU FILED, BUT WILL NOT AFFECT THE SUBSEQUENT PROOF OF**  
3 **CLAIM THAT YOU FILED, WHICH IS DUPLICATIVE OF THE FIRST.**

4 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**  
5 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** QUESTIONS  
6 **REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**  
7 **SHOULD BE DIRECTED TO BRANT FYLLING OF SIERRA CONSULTING**  
8 **GROUP, LLC ((602) 424-7009) OR THE UNDERSIGNED COUNSEL.**

9 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust has filed its  
10 Ninth Omnibus Objection to Duplicate Proofs of Claim (the "Objection"). Your Proof of  
11 Claim number and other information regarding your claim is provided in **Exhibit A**,  
12 attached. The USACM Liquidating Trust has requested that this Court enter an order,  
13 pursuant to Bankruptcy Code § 502 and Bankruptcy Rule 3007, disallowing the duplicate  
14 Proof of Claim. The Objection will not impact the surviving claim.

15 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
16 before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
17 Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
18 **November 13, 2009, at the hour of 9:30 a.m.**

19 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON**  
20 **NOVEMBER 13, 2009, WILL BE HELD FOR THE PURPOSE OF STATUS**  
21 **CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO**  
22 **ARGUMENTS WILL BE HEARD ON THAT DATE.**

23 **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed  
24 by **November 6, 2009**, pursuant to Local Rule 3007(b), which states:

25 If an objection to a claim is opposed, a written response must be filed and  
26 served on the objecting party at least 5 business days before the scheduled  
hearing. A response is deemed sufficient if it states that written

1 documentation in support of the proof of claim has already been provided to  
2 the objecting party and that the documentation will be provided at any  
3 evidentiary hearing or trial on the matter.

4 If you object to the relief requested, you *must* file a **WRITTEN** response to this  
5 pleading with the Court. You *must* also serve your written response on the person who  
6 sent you this notice.

7 If you do not file a written response with the Court, or if you do not serve your  
8 written response on the person who sent you this notice, then:

- 9 • The Court may *refuse to allow you to speak* at the scheduled hearing; and  
10 • The Court may *rule against you* and sustain the objection without formally  
11 calling the matter at the hearing.

12 Dated: October 14, 2009.

13 LEWIS AND ROCA LLP

14 By /s/ John Hinderaker (#18024)  
15 Rob Charles, NV 6593  
16 John C. Hinderaker, AZ 18024 (*pro hac vice*)  
17 3993 Howard Hughes Parkway, Suite 600  
18 Las Vegas, Nevada 89169  
Telephone: (702) 949-8320  
Facsimile: (702) 949-8321  
E-mail: rcharles@lrlaw.com  
*Attorneys for the USACM Liquidating Trust*

19 Copy of the foregoing and pertinent  
20 portion of Exhibit A mailed by first  
21 class postage prepaid U.S. Mail on  
22 October 14, 2009 to:

23 Parties listed on Exhibit A attached.

24 LEWIS AND ROCA LLP

25 /s/ Leilani Lista  
26